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MAILED

MAR 12 2010

OFFICE OF PETITIONS

In re Application of	:	
George Earl Peterson	:	
Application No. 09/915,963	:	ON PETITION
Filed: July 26, 2001	:	
Attorney Docket No. 18	:	

This is a decision on the renewed petition under 37 CFR 1.137(b), filed February 2, 2010, to revive the above-identified application.

The petition under 37 CFR 1.137(b) is **GRANTED**.

The above application became abandoned for failure to timely seek judicial review of the decision by the Board of Patent Appeals and Interferences, mailed June 22, 2009. Pursuant to 37 CFR 1.304, applicants had two months to judicial review. No review having been sought, the application became abandoned on August 23, 2009. The Office mailed a Notice of Abandonment on September 28, 2009. Applicant filed an Amendment, together with a petition to revive, on September 25, 2009. However, the petition was dismissed in a decision mailed on December 3, 2009. The decision explained that the Amendment could not be entered as prosecution was closed, and suggested that Applicant file an RCE to have the Amendment entered.

With the instant petition, petitioner made the proper statement of unintentional delay and submitted the required reply in the form of an RCE (together with an Amendment). The required petition fee was previously paid on September 25, 2009.

The application is being forwarded to Group Art Unit 2821 for consideration of the RCE filed February 2, 2010.

Telephone inquiries concerning this decision should be directed to the undersigned at (571)272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions